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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/602,576	06/22/2000	Joshua A. Jacobs	BIG1P001	1303
22434	7590	06/20/2006	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250				TODD, GREGORY G
		ART UNIT		PAPER NUMBER
				2157

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/602,576	JACOBS ET AL.
	Examiner Gregory G. Todd	Art Unit 2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 May 2006.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,4,5,7-12 and 32-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,4,5,7-12 and 32-36 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

1. This office action is in response to applicant's amendment and request for continued examination filed, 15 May 2006, of application filed, with the above serial number, on 22 June 2000 in claims 1, 5, 7, 12, and 32 have been amended and claims 2-3 have been cancelled. Claims 1, 4-5, 7-12 and 32-36 are therefore pending in the application.

It is noted claim 32 is marked as currently amended, however, there are no notable changes or markings to the claims. It is noted Applicant states claim 1 is amended (see p. 5); however, claims 5, 7, and 12 have markings indicating amendments thereto.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 4-5, 7-12 and 32-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 16 of amended claim 1, a "user's progress" is maintained. However, the specification lacks antecedent basis for this claim feature and terminology.

Claims 1, 4-5, 7-12 and 32-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention. Similarly, in line 13 of amended claim 1, a "task has one or more stages" and is completed "by progressing from a first context to a second context". The detailed description of the invention lacks antecedent basis for both of these claim features and terminology.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-5, 7-12 and 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (hereinafter "Lee", 6,061,696) in view of Bernardo et al (hereinafter "Bernardo", 6,684,369).

As per Claim 1, Lee teaches a software architecture for enabling a user to create a Web site over the Internet, wherein Lee teaches:

a plurality of applications (applications) (at least col. 9, lines 21-60);  
a data schema for storing a plurality of data objects, the data schema having an underlying, extensible data model providing a configuration of the data objects in the data schema, the data schema having fixed attributes and extensible attributes, the extensible attributes of a data object enabling extension of the data schema, wherein the extension consists of previously undefined attributes and wherein the extension is

executed without having to alter the configuration of the data model (at least col. 3, lines 40-59; col. 9, lines 43-65; col. 6, lines 3-24; Cosmo Create); and

an integrated platform for enabling the user to perform a task (at least col. 3, lines 40-59; col. 9, lines 43-65; col. 6, lines 3-24; creating web page).

Lee fails to explicitly teach wherein a task has one or more stages and is completed by progressing from a first context to a second context and by controlling interaction between two or more of the applications and the data model, and for maintaining a context in the user's progress of completing a task for the purpose of creating a Web site. However, the use and advantages for using such a progressive approach is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Bernardo. Bernardo teaches a workflow system for monitoring the progress of a web page creation phase (at least col. 9, lines 13-23; col. 10 line 54 – col. 11 line 16). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Bernardo's workflow system into Lee's system as this would enhance and ease complex site creation by having the various tasks organized and managed accordingly.

As per Claim 4.

wherein a data object is associated with a context information record that further describes a task in which the data object will be used (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58; check rule exists).

As per Claim 5.

wherein the platform allows the user and an application to extend the data schema in a user-specific way, thereby enabling a plurality of users and the plurality of applications to use the data schema (at least col. 3, lines 40-59; col. 9, lines 21-65; col. 6, lines 3-24).

As per Claim 7.

wherein the extensible, underlying data model provides a standard way of representing the previously undefined attribute (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58; Fig. 5; native standard).

As per Claim 8.

further comprising a user interface that is uniform across the plurality of applications (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58; col. 7, lines 20-48; Fig. 6).

As per Claim 9.

wherein additional services can be added using the plurality of applications (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 - col. 10 line 58).

As per Claim 10.

Bernardo teaches wherein the integrated platform is used to create and maintain an online business presence (at least col. 7, lines 26-36; col. 14, lines 6-67). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Bernardo's web site use with Lee as this is a very common use for creating a web site.

As per Claim 11.

Bernardo teaches wherein the integrated platform is used to create and maintain a customer relationship management application (at least col. 7, lines 26-36; col. 14, lines 6-67). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the use of Bernardo's web site use with Lee as this is a very common use for creating a web site.

As per Claim 12.

wherein the software architecture is a reactive architecture which supports a plurality of levels of task granularity and is dynamically aware of what information has been entered by a user (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43- col. 10 line 58).

As per Claim 32.

the extensible data model enabling arranging and configuring application data of one or more of the plurality of applications (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58).

As per Claim 33.

wherein the application data are one of a fixed attribute and an extended attribute (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58).

As per Claim 34.

further comprising a data logic component for operating on the data (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58).

As per Claim 35.

the user interface implementing a user experience (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58).

As per Claim 36.

further including an information architecture layer for modeling the user experience (at least col. 3, lines 40-59; col. 6, lines 3-24; col. 9 line 43 – col. 10 line 58).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1, 4-5, 7-9, 12 and 32-36 have been considered but are moot in view of the new ground(s) of rejection. Applicants argue, in substance, that Lee fails to suggest the integrated platform of claim 1. Applicant goes on to list the features of the integrated platform, including "maintaining a context and a context task list".

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., maintaining a context and a context task list) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Newly cited Arora et al, Kagle, and O'Shea, in addition to previously cited Raab et al, Peel et al, Ashby et al, Gawlick et al, Fohn et al, Bowman-Amuah, Hanson et al, D'Arlach et al, Bernardo et al, Lagarde et al (distributed tasking), Sondur et al (relational database), Cohen (ASP page application authoring), Graham (remote web-authoring methods), Wolfe et al (website development details), and Belanger (remote server application execution) are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G. Todd whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Todd

Patent Examiner

Technology Center 2100



MARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100